

*STAFFORD COUNTY
HISTORICAL COMMISSION
REGULAR MEETING MINUTES
THURSDAY - OCTOBER 6, 2011*

The Stafford County Historical Commission held its regular monthly meeting, Thursday, October 6, 2011, in Conference Room ABC, Government Center; 1300 Courthouse Road. The meeting was called to order at 3:05 PM by Anita Dodd.

ROLL CALL

<u>MEMBERS</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>STAFF</u>
Anita Dodd - Chair	P		Kathy Baker - Assistant Director - Planning & Zoning
Ann Best-Rolls - Vice Chair	P		Amber Forestier - Environmental Planner - Planning & Zoning
Barbara Kirby - Secretary	P		Terry Baxley Morton - Commission Clerk
Richard Chichester	P		
Jane Conner	P		
			<u>GUESTS</u>
David Rodriguez MD		A	Paul Milde - Board of Supervisors - Aquia District
Frank White		A	Glenn Trimmer - Executive Director - FSCWS

- Discussion of Proposed Ordinance O06-47 dated July 18, 2006 Regarding Archaeological Surveys and Investigations with Supervisor Paul Milde.

- Paul Milde said he has not given the proposed ordinance any thought since 2006.
- He said the Commission will want to word the proposed ordinance so that local Historian, D.P. Newton will be in agreement.
- Anita Dodd said the Commission tried to explain to D.P. Newton to no avail that the ordinance will only apply to development properties.
- Paul Milde asked what do you mean by development property. Anita Dodd answered site plans that come before the Planning & Zoning Department. Kathy Baker said it is basically major development.
- Paul Milde asked what if D.P. Newton wants to sell his farm or his neighbor or if anyone wants to sell their farm? He said I don't get the difference between developers and private property. He said it's all the same, half the time it's the private property owner under a contingent contract with a developer. He said the private owner is trying to get the money out of it.
- Anita Dodd said none of this would come into play until a developer decides to develop a property. She said if D.P. Newton sells or anyone sells or deeds the property to who-ever then this does not come into play only when a site plan is being presented.
- Kathy Baker said usually the County has the ability to negotiate with the developer since it regards rezoning. She said the County usually has additional leverage with CUP (conditional use permit) applications.
- Paul Milde asked if they were basing it on site plans for bi-right property. Kathy Baker said that is what is considered. She said currently someone submits a preliminary plan subdivision application, and the preliminary subdivision plan is reviewed by TRC (Technical Review Committee).
- Paul Milde said this is a layer of regulation, whether it be good or bad, that could cause a potential applicant more money in a phase 2 or maybe less lot yield in their subdivision. He said he does not remember what D.P. Newton said but it was about devalue of land and hurting property rights. He said he does not understand the difference between a developer and a private property owner.
- Kathy Baker said you can't really make that distinction, anyone can develop property, it can be a private land owner, it can be anyone that divides up their land, but until it comes through the County process, getting a preliminary subdivision plan, is when the Commission is talking about applying this requirement.
- Barbara Kirby said if a citizen sells their private property to another private property owner the proposed ordinance would not apply.

- Paul Milde said he remembered D.P. Newton having concern about the capability and quality of work by archeological survey companies. He said D.P. Newton pointed out examples where people spent a lot of money on surveys and the companies missed items. He said he felt the end result of the surveys were extremely inaccurate.
- In the past, D.P. Newton asked Barbara Kirby if the proposed ordinance is approved, what is to keep the Board from adding something else on to the ordinance later. She told him that is up to the Board.
- Kathy Baker reminded Paul Milde that she sent all excerpts from meeting minutes from April 2, 2009 until April 4, 2011, two years of work on the proposed ordinance as well as the proposed ordinance.
- Paul Milde said he did not prepare for the Commission meeting.
- The proposed ordinance was assigned to a sub-committee of the Board in 2006.
- Anita Dodd said the key component of the ordinance is to encourage anyone desiring to build on property to come to the County prior to submitting a site plan and inquire about any cultural resources that may be located on the property. She said what often happens is the site plan is submitted, money is spent, and then the developer finds out there is a cultural resource to be addressed. She said the proposed ordinance would eliminate that issue.
- Upon speaking to developers, the Commission found, developers just want to know ahead of time what is required and then it is not an issue and they can move forward.
- Paul Milde asked if there is any way to prohibit the destruction of certain cultural resources. The Commission answered, no. Kathy Baker iterated unless it is in a Historic Resource Overlay District. Anita Dodd said being in a Historic District or in the National Registry basically sends a red flag notifying people of the importance. She said you need to deal with it and work around it. However, it does not ultimately stop someone from tearing down cultural resources.
- Amber Forestier said the last few times she has requested cooperation, developers have not. She said they know they do not have to cooperate.
- Paul Milde asked what has been lost in the past five years without the ordinance in place.
- Anita Dodd pointed out it is not always about saving the resource as it is documenting it for cultural resource records.
- Anita Dodd said most people zero in on the Civil War but the County has more history before and after the Civil War that has not been tapped, reported or investigated, i.e. the War of 1812.
- Anita Dodd explained there are three phases. Phase 1 is to identify any cultural resource on the property, a cursory identification to determine if there is eligibility. Phase 2 is to study just the areas if any were identified in the Phase 1 study. The end of Phase 2 a decision is made as to whether all the information needed was obtained or it was found to be important, that's when mitigation starts. The Planning Department and the Historical Commission would facilitate. Dixon-Smith Middle School is an example. She said the ordinance is to do right by the resource and make people aware that the resources need to be treated correctly. She said Fairfax and Spotsylvania Counties have similar ordinances in place. She said she studied other municipality's ordinances.
- Ann Best-Rolls pointed out that the ordinance follows the National Secretary of Interior's Guidelines.
- Anita Dodd requested again that people come forward and offer suggestions. She said the beginning of the proposed ordinance is basically a glossary of definitions etc.
- Glenn Trimmer said the question we should be asking ourselves is "What have you saved"? He said because the County, on its own efforts, has not saved these things. He said Jane Conner did an ordinate amount of work on Government Island. He said he did an ordinate amount of work on the Civil War Park. Glenn Trimmer said the County did its work on Clift Farm Road, a huge site, loaded with all types of artifacts and incredibly important. He said it spent \$300,000 of tax-payer's money and saved nothing. Anita Dodd said the fort was a fiasco that generated years ago before there was a preservation planner on staff and years before the Sheel map was completed.

PRESENTATION BY THE PUBLIC

- Glenn Trimmer - Executive Director - FSCWS.

- Glenn Trimmer suggested the Commission go back and look at all the studies it has. He suggested creating a table showing the reports and what was actually preserved. He said what concerns people like he and D.P. Newton is not only are things not getting preserved but places like Clift Farm, the artifacts are shipped away from the County to Richmond. He said the Commission would be much better off choosing three or four sites it's aware of and putting its efforts into

actually saving something. He said triggers do count with developers. The developer loses control after a Phase 1 survey. He said if you really look at the studies like the study for the Civil War Park, the firm's studies never state that the item definitely should be conserved. He said even in a Phase 2 the study still states the item is potentially valuable. He said the National Register, to people who do not understand, see it as a big stream of money flowing in order to preserve nothing because the rest of us know the sites and try to get them preserved. He does not understand why the County does not protect things. Kathy Baker said there is no way to enforce it. He said if you don't have a place to put it and money to take care of it you will have a horrible time.

- Anita Dodd said there are many components to put in place but we need to start somewhere.

- Ann Best-Rolls said everything that was said has value. She said it was very important to hear another Board member in favor of a preservation planner for the County. She asked Glenn Trimmer what is going to happen to the camp, now it's owned by the County. The artifacts are at the School Board. The County is building a new high school on the original Stafford High School site. Anita Dodd said the School Board is a totally different entity.

- Kathy Baker said proposed Ordinance 006-47 would apply to anything over five homes or a major site plan which is anything over 1500 square feet of development.

- Stafford County Civil War Park - Management Plan.

- Anita Dodd said the County needs an over-all management plan for the cultural resources it owns. Each cultural resource needs a management plan that is specific to itself. Management plans need to include staffing and funding.

- Jane Conner asked Glenn Trimmer if he had viewed other National Park management plans. He said he contacted a wide variety of staff including staff from Salem Creek Battlefield Park and Spotsylvania Military Park. He reminded the Commission that he gave them the National Park's plan for trails, an article on how earth works are managed and earth work husbandry. He suggested the Commission invite John Hennessey, Historian with the National Park Service to speak at its meeting. He said there is no doubt vegetative cover is established in the park. He suggested not spending the money or time surveying vegetation but just leave it as is. He said the plan has good back-up and rationale on the subject. Glenn Trimmer said he provided the Commission with his references and their pertinent documents. The Commission requested seasonal schedules and actual reports. Anita Dodd said the National Park Management Plan is on-line. Glenn Trimmer said he went to the National Park Headquarters in Chatham yesterday and the management plan was not available. He was told there is only a draft. He provided the Commission with a list of his comments regarding a management plan. He said he spent months on the document. Anita Dodd said a management plan should have been written from day one before anything else. Glenn Trimmer said they were required to submit a management plan to the National Guard and he does not want to modify it after it was reviewed by them.

Five members of the Commission approved, two members were absent, one member was against not recommending the management plan until after the National Guard returns next summer to complete the road allowing for any potential revisions, deletions or additions necessary.

Kathy Baker said the Commission can even write a maintenance plan for the property, more of an agreement that the Parks Department is going to have to abide by based on the Commission's recommendations. She said it's something that can be worked through before it is turned over. She said the Commission can work on it in the mean-time and have it ready to present. She said they can work with the Parks Department on the subject.

- Sherwood Forest.

- It was established Clark Leming's legal firm would be the best point of contact for Sherwood Forest as he is involved in managing the property. Amber Forestier will contact the firm regarding getting in contact with the owners of Sherwood Forest. The Commission discussed submitting an op-ed to the newspaper after meeting with the owners. Ann Best-Rolls said the house and the slave quarter are not the only portions of the property of importance. She said she thinks they owe it to citizens to make sure they are aware there are 400 acres. She said to not make that a clear goal of this Commission is a disservice to why we are in these chairs in the first place. Richard Chichester said, agreed.

REPORTS BY COMMISSION MEMBERS

- Barbara Kirby said members of County staff attended the ARB meeting and are proposing a parking lot next to the Counting House in Falmouth.
- The Commission asked Kathy Baker questions about the potential parking lot. Kathy Baker answered the questions and iterated that currently there is no parking available in Falmouth for tourist and citizens.
- The Commission discussed receiving all information that the ARB receives and vice versa so everyone is aware of all subjects. The Clerk has been sending both groups each other's documents and all will continue to improve communication.
- Glenn Trimmer invited and encouraged the Commission to take a tour of the Civil War Park with him as its guide.
- Kathy Baker reminded the Commission that a public notice would need to be posted three days before the tour.
- Everyone decided on a day, time and location to meet.
- He said the first trespassing hearing for the park is on November 29, 2011.

ADJOURNMENT

The meeting adjourned at 4:55 PM.

Anita Dodd - Commission Chair

Barbara Kirby - Commission Secretary